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(Original Signature of Member)

108TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

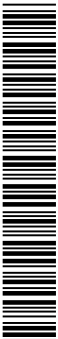
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**IN THE HOUSE OF REPRESENTATIVES**

Mr. YOUNG of Alaska (for himself, Mr. Oberstar, Mr. Petri, and Mr. Lipinski)  
introduced the following bill; which was referred to the Committee on  
\_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To provide an extension of highway, highway safety, motor  
carrier safety, transit, and other programs funded out  
of the Highway Trust Fund pending enactment of a  
law reauthorizing the Transportation Equity Act for the  
21st Century.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*



1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Surface Transpor-  
3 tation Extension Act of 2004, Part V”.

4 **SEC. 2. ADVANCES.**

5 (a) IN GENERAL.—

6 (1) APPORTIONMENT RATIO.—Except as pro-  
7 vided in paragraph (2), the Secretary of Transpor-  
8 tation shall apportion funds made available under  
9 section 1101(l) of the Transportation Equity Act for  
10 the 21st Century (112 Stat. 111; 118 Stat. 876), as  
11 amended by this section, to each State in the ratio  
12 that—

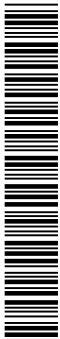
13 (A) the State’s total fiscal year 2004 obli-  
14 gation authority for funds apportioned for the  
15 Federal-aid highway program; bears to

16 (B) all States’ total fiscal year 2004 obli-  
17 gation authority for funds apportioned for the  
18 Federal-aid highway program.

19 (2) EXCEPTION.—The ratios determined under  
20 this subsection shall be subject to the same adjust-  
21 ments as the adjustments made under section 105(f)  
22 of title 23, United States Code.

23 (b) PROGRAMMATIC DISTRIBUTIONS.—

24 (1) PROGRAMS.—Of the funds to be appor-  
25 tioned to each State under subsection (a), the Sec-  
26 retary shall ensure that the State is apportioned an



1 amount of the funds, determined under paragraph  
2 (2), for the Interstate maintenance program, the  
3 National Highway System program, the bridge pro-  
4 gram, the surface transportation program, the con-  
5 gestion mitigation and air quality improvement pro-  
6 gram, the recreational trails program, the Appa-  
7 lachian development highway system program, and  
8 the minimum guarantee.

9 (2) IN GENERAL.—The amount that each State  
10 shall be apportioned under this subsection for each  
11 item referred to in paragraph (1) shall be deter-  
12 mined by multiplying—

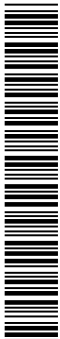
13 (A) the amount apportioned to the State  
14 under subsection (a); by

15 (B) the ratio that—

16 (i) the amount of funds apportioned  
17 for the item to the State for fiscal year  
18 2004; bears to

19 (ii) the total of the amount of funds  
20 apportioned for the items to the State for  
21 fiscal year 2004.

22 (3) ADMINISTRATION OF FUNDS.—Funds au-  
23 thorized by the amendment made under subsection  
24 (d) shall be administered as if the funds had been  
25 apportioned, allocated, deducted, or set aside, as the

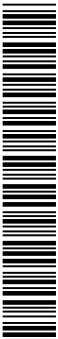


1 case may be, under title 23, United States Code; ex-  
2 cept that the deductions and set-asides in the fol-  
3 lowing sections of such title shall not apply to such  
4 funds: sections 104(a)(1)(A), 104(a)(1)(B),  
5 104(b)(1)(A), 104(d)(1), 104(d)(2), 104(f)(1),  
6 104(h)(1), 118(c)(1), 140(b), 140(c), and 144(g)(1).

7 (4) SPECIAL RULES FOR MINIMUM GUAR-  
8 ANTEE.—In carrying out the minimum guarantee  
9 under section 105(c) of title 23, United States Code,  
10 with funds apportioned under this section for the  
11 minimum guarantee, the \$2,800,000,000 set forth in  
12 paragraph (1) of such section 105(c) shall be treated  
13 as being \$1,866,666,667 and the aggregate of  
14 amounts apportioned to the States under this sec-  
15 tion for the minimum guarantee shall be treated, for  
16 purposes of such section 105(c), as amounts made  
17 available under section 105 of such title.

18 (5) EXTENSION OF OFF-SYSTEM BRIDGE SET-  
19 ASIDE.—Section 144(g)(3) of title 23, United States  
20 Code, is amended by inserting after “2004” the fol-  
21 lowing: “and in the period of October 1, 2004,  
22 through May 31, 2005,”.

23 (c) REPAYMENT FROM FUTURE APPORTION-  
24 MENTS.—

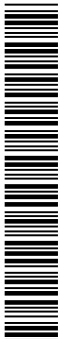


1           (1) IN GENERAL.—The Secretary shall reduce  
2           the amount that would be apportioned, but for this  
3           section, to a State for programs under chapter 1 of  
4           title 23, United States Code, for fiscal year 2005,  
5           under a multiyear law reauthorizing the Federal-aid  
6           highway program enacted after the date of enact-  
7           ment of this Act by the amount that is apportioned  
8           to each State under subsection (a) and section 5(c)  
9           for each such program.

10          (2) PROGRAM CATEGORY RECONCILIATION.—  
11          The Secretary may establish procedures under which  
12          funds apportioned under subsection (a) for a pro-  
13          gram category for which funds are not authorized  
14          under a law described in paragraph (1) may be re-  
15          stored to the Federal-aid highway program.

16          (d) AUTHORIZATION OF CONTRACT AUTHORITY.—  
17          Section 1101 of the Transportation Equity Act for the  
18          21st Century (112 Stat. 111–115; 117 Stat. 1118; 118  
19          Stat. 876) is amended by adding at the end the following:  
20          “(1) ADVANCE AUTHORIZATION FOR FISCAL YEAR  
21          2005.—

22               “(1) IN GENERAL.—There shall be available  
23               from the Highway Trust Fund (other than the Mass  
24               Transit Account) to carry out section 2(a) of the  
25               Surface Transportation Extension Act of 2004, Part



1 V \$21,311,774,667 for the period of October 1,  
2 2004, through May 31, 2005.

3 “(2) SPECIAL RULE.—Funds apportioned under  
4 section 2(a) of the Surface Transportation Exten-  
5 sion Act of 2004, Part V shall be subject to a limita-  
6 tion on obligations for Federal-aid highways and  
7 highway safety construction programs.

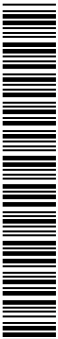
8 “(3) CONTRACT AUTHORITY.—Funds made  
9 available by this subsection shall be available for ob-  
10 ligation in the same manner as if such funds were  
11 apportioned under chapter 1 of title 23, United  
12 States Code.”.

13 (e) LIMITATION ON OBLIGATIONS.—

14 (1) IN GENERAL.—Subject to paragraph (2),  
15 upon enactment of an Act making appropriations for  
16 the Department of Transportation for fiscal year  
17 2005 (other than an Act or resolution making con-  
18 tinuing appropriations), the Secretary shall dis-  
19 tribute  $\frac{8}{12}$  of the obligation limitation for Federal-  
20 aid highways and highway safety construction pro-  
21 grams provided by such Act according to the provi-  
22 sions of such Act.

23 (2) EXCEPTIONS.—

24 (A) DETERMINATION OF AMOUNTS.—Any  
25 instruction in such Act that would require the



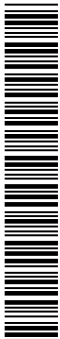
1 distribution or reservation of obligation limita-  
2 tion prior to distributing the remainder of the  
3 obligation limitation to the States shall be exe-  
4 cuted as if the program, project, or activity for  
5 which obligation limitation is so distributed or  
6 reserved was authorized at an amount equiva-  
7 lent to the greater of—

8 (i) the amount authorized for such  
9 program, project, or activity in this Act; or

10 (ii) 8/12 of the amount provided for  
11 or limitation set on such program, project,  
12 or activity in the Act making appropria-  
13 tions for the Department of Transpor-  
14 tation for fiscal year 2005.

15 (B) MINIMUM GUARANTEE.—Obligations  
16 for the period October 1, 2004, through May  
17 31, 2005, shall not exceed the obligation limita-  
18 tion distributed by this subsection, except that  
19 this limitation shall not apply to \$426,000,000  
20 in obligations for minimum guarantee for such  
21 period.

22 (3) TIME PERIOD FOR OBLIGATIONS.—After  
23 May 31, 2005, no funds shall be obligated for any  
24 Federal-aid highway program project until the date  
25 of enactment of a multiyear law reauthorizing the



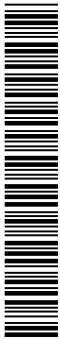
1 Federal-aid highway program enacted after the date  
2 of enactment of this Act.

3 (4) TREATMENT OF OBLIGATIONS.—Any obliga-  
4 tion of obligation authority distributed under this  
5 subsection shall be considered to be an obligation for  
6 Federal-aid highways and highway safety construc-  
7 tion programs for fiscal year 2005 for the purposes  
8 of any obligation limitation set in an Act making ap-  
9 propriations for the Department of Transportation  
10 for fiscal year 2005.

11 **SEC. 3. TRANSFERS OF UNOBLIGATED APPORTIONMENTS.**

12 (a) IN GENERAL.—In addition to any other authority  
13 of a State to transfer funds, for fiscal year 2005, a State  
14 may transfer any funds apportioned to the State for any  
15 program under section 104(b) (including amounts appor-  
16 tioned under section 104(b)(3) or set aside, made avail-  
17 able, or suballocated under section 133(d)) or section 144  
18 of title 23, United States Code, before, on, or after the  
19 date of enactment of this Act, that are subject to any limi-  
20 tation on obligations, and that are not obligated, to any  
21 other of those programs.

22 (b) TREATMENT OF TRANSFERRED FUNDS.—Any  
23 funds transferred to another program under subsection (a)  
24 shall be subject to the provisions of the program to which  
25 the funds are transferred, except that funds transferred





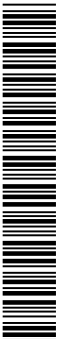
1 to a program under section 133 (other than subsections  
2 (d)(1) and (d)(2)) of title 23, United States Code, shall  
3 not be subject to section 133(d) of that title.

4 (c) RESTORATION OF APPORTIONMENTS.—

5 (1) IN GENERAL.—As soon as practicable after  
6 the date of enactment of a multiyear law reauthor-  
7 izing the Federal-aid highway program enacted after  
8 the date of enactment of this Act, the Secretary of  
9 Transportation shall restore any funds that a State  
10 transferred under subsection (a) for any project not  
11 eligible for the funds but for this section to the pro-  
12 gram category from which the funds were trans-  
13 ferred.

14 (2) PROGRAM CATEGORY RECONCILIATION.—  
15 The Secretary may establish procedures under which  
16 funds transferred under subsection (a) from a pro-  
17 gram category for which funds are not authorized  
18 may be restored to the Federal-aid highway pro-  
19 gram.

20 (3) LIMITATION ON STATUTORY CONSTRUC-  
21 TION.—No provision of law, except a statute enacted  
22 after the date of enactment of this Act that ex-  
23 pressly limits the application of this subsection, shall  
24 impair the authority of the Secretary to restore  
25 funds pursuant to this subsection.



1 (d) GUIDANCE.—The Secretary may issue guidance  
2 for use in carrying out this section.

3 (e) PROHIBITION OF TRANSFERS.—Notwithstanding  
4 any other provision of this section, no funds may be trans-  
5 ferred by a State under subsection (a)—

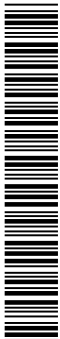
6 (1) from amounts apportioned to the State for  
7 the congestion mitigation and air quality improve-  
8 ment program; and

9 (2) from amounts apportioned to the State for  
10 the surface transportation program and that are  
11 subject to any of paragraphs (1), (2), and (3)(A)(i)  
12 of section 133(d) of title 23, United States Code.

13 **SEC. 4. ADMINISTRATIVE EXPENSES.**

14 (a) AUTHORIZATION OF CONTRACT AUTHORITY.—  
15 There shall be available from the Highway Trust Fund  
16 (other than the Mass Transit Account) for administrative  
17 expenses of the Federal-aid highway program  
18 \$234,682,667 for fiscal year 2005.

19 (b) CONTRACT AUTHORITY.—Funds made available  
20 by this section shall be available for obligation in the same  
21 manner as if such funds were apportioned under chapter  
22 1 of title 23, United States Code, and shall be subject  
23 to a limitation on obligations for Federal-aid highways and  
24 highway safety construction programs; except that such  
25 funds shall remain available until expended.



1 **SEC. 5. OTHER FEDERAL-AID HIGHWAY PROGRAMS.**

2 (a) AUTHORIZATION OF APPROPRIATIONS UNDER  
3 TITLE I OF TEA21.—

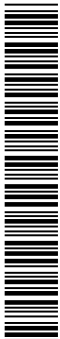
4 (1) FEDERAL LANDS HIGHWAYS.—

5 (A) INDIAN RESERVATION ROADS.—Sec-  
6 tion 1101(a)(8)(A) of the Transportation Eq-  
7 uity Act for the 21st Century (112 Stat. 112;  
8 118 Stat. 877) is amended—

9 (i) by inserting before the period at  
10 the end the following: “and \$183,333,333  
11 for the period of October 1, 2004, through  
12 May 31, 2005”; and

13 (ii) by adding at the end the fol-  
14 lowing: “The minimum amount made  
15 available for such period that the Sec-  
16 retary, in cooperation with the Secretary of  
17 the Interior, shall reserve for Indian res-  
18 ervation road bridges under section  
19 202(d)(4) of title 23, United States Code,  
20 shall be \$8,666,667 instead of  
21 \$13,000,000.”.

22 (B) PUBLIC LANDS HIGHWAYS.—Section  
23 1101(a)(8)(B) of such Act (112 Stat. 112; 118  
24 Stat. 878) is amended by inserting before the  
25 period at the end the following: “and



1           \$164,000,000 for the period of October 1,  
2           2004, through May 31, 2005”.

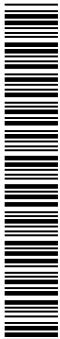
3           (C) PARK ROADS AND PARKWAYS.—Sec-  
4           tion 1101(a)(8)(C) of such Act (112 Stat. 112;  
5           118 Stat. 878) is amended by inserting before  
6           the period at the end the following: “and  
7           \$110,000,000 for the period of October 1,  
8           2004, through May 31, 2005”.

9           (D) REFUGE ROADS.—Section  
10          1101(a)(8)(D) of such Act (112 Stat. 112; 118  
11          Stat. 878) is amended by inserting before the  
12          period at the end the following: “and  
13          \$13,333,333 for the period of October 1, 2004,  
14          through May 31, 2005”.

15          (2) NATIONAL CORRIDOR PLANNING AND DE-  
16          VELOPMENT AND COORDINATED BORDER INFRA-  
17          STRUCTURE PROGRAMS.—Section 1101(a)(9) of such  
18          Act (112 Stat. 112; 118 Stat. 878) is amended by  
19          inserting before the period at the end the following:  
20          “and \$93,333,333 for the period of October 1, 2004,  
21          through May 31, 2005”.

22          (3) CONSTRUCTION OF FERRY BOATS AND  
23          FERRY TERMINAL FACILITIES.—

24                (A) IN GENERAL.—Section 1101(a)(10) of  
25          such Act (112 Stat. 113; 118 Stat. 878) is



1 amended by inserting before the period at the  
2 end the following: “and \$25,333,333 for the pe-  
3 riod of October 1, 2004, through May 31,  
4 2005”.

5 (B) SET ASIDE FOR ALASKA, NEW JERSEY,  
6 AND WASHINGTON.—To carry out section 1064  
7 of the Intermodal Surface Transportation Effi-  
8 ciency Act of 1991 (23 U.S.C. 129 note; 105  
9 Stat. 2005; 112 Stat. 185; 118 Stat. 878), of  
10 funds made available by the amendment made  
11 by subparagraph (A)—

12 (i) \$6,666,667 shall be available for  
13 section 1064(d)(2);

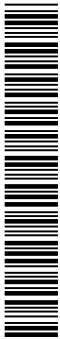
14 (ii) \$3,333,333 shall be available for  
15 section 1064(d)(3); and

16 (iii) \$3,333,333 shall be available for  
17 section 1064(d)(4).

18 (4) NATIONAL SCENIC BYWAYS PROGRAM.—  
19 Section 1101(a)(11) of the Transportation Equity  
20 Act for the 21st Century (112 Stat. 113; 118 Stat.  
21 878) is amended—

22 (A) by striking “and” the last place it ap-  
23 pears; and

24 (B) by inserting before the period at the  
25 end the following: “, and \$17,666,667 for the



1 period of October 1, 2004, through May 31,  
2 2005”.

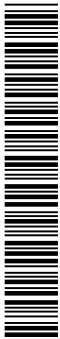
3 (5) VALUE PRICING PILOT PROGRAM.—Section  
4 1101(a)(12) of such Act (112 Stat. 113; 118 Stat.  
5 878) is amended by inserting before the period at  
6 the end the following: “, and \$7,333,333 for the pe-  
7 riod of October 1, 2004, through May 31, 2005”.

8 (6) HIGHWAY USE TAX EVASION PROJECTS.—  
9 Section 1101(a)(14) of such Act (112 Stat. 113;  
10 118 Stat. 878) is amended by inserting before the  
11 period at the end the following: “and \$3,333,333 for  
12 the period of October 1, 2004, through May 31,  
13 2005”.

14 (7) COMMONWEALTH OF PUERTO RICO HIGH-  
15 WAY PROGRAM.—

16 (A) IN GENERAL.—Section 1101(a)(15) of  
17 such Act (112 Stat. 113; 118 Stat. 879) is  
18 amended by inserting before the period at the  
19 end the following: “and \$73,333,333 for the pe-  
20 riod of October 1, 2004, through May 31,  
21 2005”.

22 (B) CONFORMING AMENDMENT.—Section  
23 1214(r)(1) of such Act (112 Stat. 209; 117  
24 Stat. 1114) is amended by striking “2004” and  
25 inserting “2005”.



1           (8) SAFETY GRANTS.—Section 1212(i)(1)(D) of  
2       such Act (23 U.S.C. 402 note; 112 Stat. 196; 112  
3       Stat. 840; 118 Stat. 879) is amended by inserting  
4       before the period at the end the following: “and  
5       \$333,333 for the period of October 1, 2004, through  
6       May 31, 2005”.

7           (9) TRANSPORTATION AND COMMUNITY AND  
8       SYSTEM PRESERVATION PILOT PROGRAM.—Section  
9       1221(e)(1) of such Act (23 U.S.C. 101 note; 112  
10      Stat. 223; 118 Stat. 879) is amended by inserting  
11      before the period at the end the following: “and  
12      \$16,666,667 for the period of October 1, 2004,  
13      through May 31, 2005”.

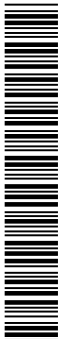
14          (10) TRANSPORTATION INFRASTRUCTURE FI-  
15      NANCE AND INNOVATION.—Section 188 of title 23,  
16      United States Code, is amended—

17           (A) in subsection (a)(1)—

18               (i) by striking “and” at the end of  
19               subparagraph (E);

20               (ii) by striking the period at the end  
21               of subparagraph (F) and inserting “; and”;  
22               and

23               (iii) by adding at the end the fol-  
24               lowing:



1 “(G) \$86,666,667 for the period of Octo-  
2 ber 1, 2004, through May 31, 2005.”;

3 (B) in subsection (a)(2) by inserting after  
4 “2004” the following: “and \$1,333,333 for the  
5 period of October 1, 2004, through May 31,  
6 2005”; and

7 (C) in subsection (c)—

8 (i) by striking “2004” and inserting  
9 “2005”; and

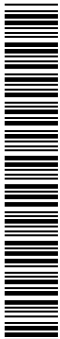
10 (ii) by striking the period at the end  
11 of the table and inserting the following:

“2005 .....\$1,733,333,333.”.

12 (11) NATIONAL SCENIC BYWAYS CLEARING-  
13 HOUSE.—Section 1215(b)(3) of the Transportation  
14 Equity Act of the 21st Century (112 Stat. 210) is  
15 amended by inserting before the period at the end  
16 “and \$1,000,000 for the period of October 1, 2004,  
17 through May 31, 2005”.

18 (b) AUTHORIZATION OF APPROPRIATIONS UNDER  
19 TITLE V OF TEA21.—

20 (1) SURFACE TRANSPORTATION RESEARCH.—  
21 Section 5001(a)(1) of the Transportation Equity Act  
22 for the 21st Century (112 Stat. 419; 118 Stat. 879)  
23 is amended—





1 (A) by striking “2003, and” and inserting  
2 “2003,”; and

3 (B) by inserting after “2004” the fol-  
4 lowing: “, and \$68,666,667 for the period of  
5 October 1, 2004, through May 31, 2005”.

6 (2) TECHNOLOGY DEPLOYMENT PROGRAM.—  
7 Section 5001(a)(2) of such Act (112 Stat. 419; 118  
8 Stat. 879) is amended—

9 (A) by striking “2003, and” and inserting  
10 “2003,”; and

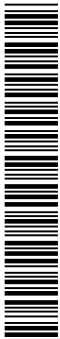
11 (B) by inserting after “2004” the fol-  
12 lowing: “, and \$33,333,333 for the period of  
13 October 1, 2004, through May 31, 2005”.

14 (3) TRAINING AND EDUCATION.—Section  
15 5001(a)(3) of such Act (112 Stat. 420; 118 Stat.  
16 879) is amended—

17 (A) by striking “2003, and” and inserting  
18 “2003,”; and

19 (B) by inserting after “2004” the fol-  
20 lowing: “, and \$13,333,333 for the period of  
21 October 1, 2004, through May 31, 2005”.

22 (4) BUREAU OF TRANSPORTATION STATIS-  
23 TICS.—Section 5001(a)(4) of such Act (112 Stat.  
24 420; 118 Stat. 879) is amended by inserting before  
25 the period at the end the following: “, and



1       \$20,666,667 for the period of October 1, 2004,  
2       through May 31, 2005”.

3           (5) ITS STANDARDS, RESEARCH, OPERATIONAL  
4       TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of  
5       such Act (112 Stat. 420; 118 Stat. 879) is  
6       amended—

7           (A) by striking “2003, and” and inserting  
8       “2003,”; and

9           (B) by inserting after “2004” the fol-  
10       lowing: “, and \$73,333,333 for the period of  
11       October 1, 2004, through May 31, 2005”.

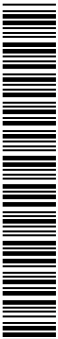
12          (6) ITS DEPLOYMENT.—Section 5001(a)(6) of  
13       such Act (112 Stat. 420; 118 Stat. 880) is  
14       amended—

15          (A) by striking “2003, and” and inserting  
16       “2003,”; and

17          (B) by inserting after “2004” the fol-  
18       lowing: “, and \$81,333,333 for the period of  
19       October 1, 2004, through May 31, 2005”.

20          (7) UNIVERSITY TRANSPORTATION RE-  
21       SEARCH.—Section 5001(a)(7) of such Act (112 Stat.  
22       420; 118 Stat. 880) is amended—

23          (A) by striking “2003, and” and inserting  
24       “2003,”; and



1 (B) by inserting after “2004” the fol-  
2 lowing: “, and \$17,666,667 for the period of  
3 October 1, 2004, through May 31, 2005”.

4 (c) METROPOLITAN PLANNING.—

5 (1) AUTHORIZATION OF CONTRACT AUTHOR-  
6 ITY.—There shall be available from the Highway  
7 Trust Fund (other than the Mass Transit Account)  
8 to carry out section 134 of title 23, United States  
9 Code, \$145,000,000 for the period of October 1,  
10 2004, through May 31, 2005.

11 (2) DISTRIBUTION OF FUNDS.—The Secretary  
12 shall distribute funds made available by this sub-  
13 section to the States in accordance with section  
14 104(f)(2) of title 23, United States Code.

15 (3) CONTRACT AUTHORITY.—Funds made  
16 available by this subsection shall be available for ob-  
17 ligation in the same manner as if such funds were  
18 apportioned under chapter 1 of title 23, United  
19 States Code, and shall be subject to a limitation on  
20 obligations for Federal-aid highways and highway  
21 safety construction programs.

22 (d) TERRITORIES.—Section 1101(d)(1) of the Trans-  
23 portation Equity Act for the 21st Century (112 Stat. 111–  
24 115; 117 Stat. 1116; 118 Stat. 880) is amended by insert-



1 ing after “2004” the following: “and \$24,266,667 for the  
2 period of October 1, 2004, through May 31, 2005”.

3 (e) ALASKA HIGHWAY.—Section 1101(e)(1) of such  
4 Act (117 Stat. 1116; 118 Stat. 880) is amended by insert-  
5 ing after “2004” the following: “and \$12,533,333 for the  
6 period of October 1, 2004, through May 31, 2005”.

7 (f) OPERATION LIFESAVER.—Section 1101(f)(1) of  
8 such Act (117 Stat. 1117; 118 Stat. 880) is amended by  
9 inserting after “2004” the following: “and \$333,333 for  
10 the period of October 1, 2004, through May 31, 2005”.

11 (g) BRIDGE DISCRETIONARY.—Section 1101(g)(1) of  
12 such Act (117 Stat. 1117; 118 Stat. 880) is amended by  
13 inserting after “2004” the following: “and \$66,666,667  
14 for the period of October 1, 2004, through May 31, 2005”.

15 (h) INTERSTATE MAINTENANCE.—Section  
16 1101(h)(1) of such Act (117 Stat. 1117; 118 Stat. 880)  
17 is amended by inserting after “2004” the following: “and  
18 \$66,666,667 for the period of October 1, 2004, through  
19 May 31, 2005”.

20 (i) RECREATIONAL TRAILS ADMINISTRATIVE  
21 COSTS.—Section 1101(i)(1) of such Act (117 Stat. 1117;  
22 118 Stat. 880) is amended by inserting after “2004” the  
23 following: “and \$500,000 for the period of October 1,  
24 2004, through May 31, 2005”.



1 (j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-  
2 NATION IN HIGH SPEED RAIL CORRIDORS.—Section  
3 1101(j)(1) of such Act (117 Stat. 1118; 118 Stat. 881)  
4 is amended—

5 (1) by inserting before “; except” the following:  
6 “and \$3,500,000 for the period of October 1, 2004,  
7 through May 31, 2005”; and

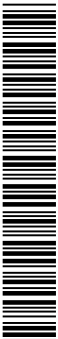
8 (2) by inserting before “for eligible” the fol-  
9 lowing: “and not less than \$166,667 instead of  
10 \$250,000 shall be available for the period of October  
11 1, 2004, through May 31, 2005,”.

12 (k) NONDISCRIMINATION.—Section 1101(k) of such  
13 Act (117 Stat. 1118; 118 Stat. 881) is amended—

14 (1) in paragraph (1) by inserting after “2004”  
15 the following: “and \$6,666,667 for the period of Oc-  
16 tober 1, 2004, through May 31, 2005”; and

17 (2) in paragraph (2) by inserting after “2004”  
18 the following: “and \$6,666,667 for the period of Oc-  
19 tober 1, 2004, through May 31, 2005”.

20 (l) ADMINISTRATION OF FUNDS.—Funds authorized  
21 by the amendments made by this section shall be adminis-  
22 tered as if the funds had been apportioned, allocated, de-  
23 ducted, or set aside, as the case may be, under title 23,  
24 United States Code, except that the deductions under sec-  
25 tions 104(a)(1)(A) and 104(a)(1)(B) of such title shall not



1 apply to funds made available by the amendment made  
2 by subsection (a)(1) of this section.

3 (m) REDUCTION OF ALLOCATED PROGRAMS.—The  
4 Secretary of Transportation shall reduce the amount that  
5 would be made available, but for this section, for fiscal  
6 year 2005 for allocation under a program, that is contin-  
7 ued both by a multiyear law reauthorizing such program  
8 enacted after the date of enactment of this Act and by  
9 this section, by the amount made available for such pro-  
10 gram by this section.

11 (n) PROGRAM CATEGORY RECONCILIATION.—The  
12 Secretary may establish procedures under which funds al-  
13 located under this section for fiscal year 2005 for a pro-  
14 gram category for which funds are not authorized for fis-  
15 cal year 2005 under a multiyear law reauthorizing the  
16 Federal-aid highway program enacted after the date of en-  
17 actment of this Act may be restored to the Federal-aid  
18 highway program.

19 **SEC. 6. EXTENSION OF HIGHWAY SAFETY PROGRAMS.**

20 (a) CHAPTER 1 HIGHWAY SAFETY PROGRAMS.—

21 (1) SEAT BELT SAFETY INCENTIVE GRANTS.—

22 Section 157 of title 23, United States Code, is  
23 amended—

24 (A) in subsection (a)(3) by striking  
25 “2002” and inserting “2003”;



1 (B) in subsection (a)(8)(B) by striking  
2 “2002” and inserting “2003”;

3 (C) in subsection (b) by striking “2003”  
4 and inserting “2005”;

5 (D) in subsection (c)(1) by striking  
6 “2003” and inserting “2004”;

7 (E) in subsection (c)(2) by striking  
8 “2003” and inserting “2004”;

9 (F) in subsection (f)(4) by striking “2003”  
10 and inserting “2004”;

11 (G) in subsection (g)(1)—

12 (i) by striking “and”; and

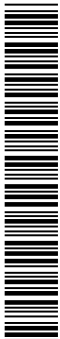
13 (ii) by inserting before the period at  
14 the end the following: “, and \$74,666,667  
15 for the period of October 1, 2004, through  
16 May 31, 2005”;

17 (H) in the heading to subsection (g)(3)(B)  
18 by striking “2004” and inserting “2005”; and

19 (I) in subsection (g)(3)(B) by striking  
20 “2004” and inserting “2005”.

21 (2) PREVENTION OF INTOXICATED DRIVER IN-  
22 CENTIVE GRANTS.—Section 163(e)(1) of such title is  
23 amended—

24 (A) by striking “and”; and



1 (B) by inserting before the period at the  
2 end the following: “, and \$73,333,333 for the  
3 period of October 1, 2004, through May 31,  
4 2005”.

5 (b) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-  
6 tion 2009(a)(1) of the Transportation Equity Act for the  
7 21st Century (112 Stat. 337; 118 Stat. 886) is  
8 amended—

9 (1) by striking “and”; and

10 (2) by inserting before the period at the end the  
11 following: “, and \$110,000,000 for the period of Oc-  
12 tober 1, 2004, through May 31, 2005”.

13 (c) HIGHWAY SAFETY RESEARCH AND DEVELOP-  
14 MENT.—Section 2009(a)(2) of such Act (112 Stat. 337;  
15 118 Stat. 886) is amended by inserting after “2004” the  
16 following: “, and \$48,000,000 for the period of October  
17 1, 2004, through May 31, 2005”.

18 (d) OCCUPANT PROTECTION INCENTIVE GRANTS.—  
19 Section 2009(a)(3) of such Act (112 Stat. 337; 118 Stat.  
20 886) is amended—

21 (1) by striking “and” the last place it appears;

22 and

23 (2) by inserting before the period at the end the  
24 following: “, and \$13,333,333 for the period of Oc-  
25 tober 1, 2004, through May 31, 2005”.





1 (e) ALCOHOL-IMPAIRED DRIVING COUNTER-  
2 MEASURES INCENTIVE GRANTS.—

3 (1) EXTENSION OF PROGRAM.—Section 410 of  
4 title 23, United States Code, is amended—

5 (A) in subsection (a)(3) by striking “7”  
6 and inserting “8”; and

7 (B) in subsection (a)(4)(C) by striking  
8 “and seventh” and inserting “, seventh, and  
9 eighth”.

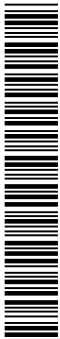
10 (2) AUTHORIZATION OF APPROPRIATIONS.—  
11 Section 2009(a)(4) of such Act (112 Stat. 337; 118  
12 Stat. 886) is amended—

13 (A) by striking “and” the last place it ap-  
14 pears; and

15 (B) by inserting before the period at the  
16 end the following: “, and \$26,666,667 for the  
17 period of October 1, 2004, through May 31,  
18 2005”.

19 (f) NATIONAL DRIVER REGISTER.—Section  
20 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 886)  
21 is amended by inserting after “2004” the following: “, and  
22 \$2,400,000 for the period of October 1, 2004, through  
23 May 31, 2005”.

24 (g) ALLOCATIONS.—Section 2009(b) of such Act  
25 (112 Stat. 338) is amended—



1 (1) in paragraph (1) by striking “2004” and in-  
2 serting “2005”; and

3 (2) in paragraph (2) by striking “2004” and in-  
4 serting “2005”.

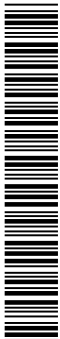
5 (h) APPLICABILITY OF TITLE 23.—Section 2009(c)  
6 of such Act (112 Stat. 338) is amended by striking  
7 “2004” and inserting “2005”.

8 **SEC. 7. EXTENSION OF MOTOR CARRIER SAFETY ADMINIS-**  
9 **TRATION PROGRAM.**

10 (a) ADMINISTRATIVE EXPENSES.—

11 (1) IN GENERAL.—There shall be available  
12 from the Highway Trust Fund (other than the Mass  
13 Transit Account) for the Secretary of Transpor-  
14 tation to pay administrative expenses of the Federal  
15 Motor Carrier Safety Administration \$160,552,536  
16 for the period of October 1, 2004, through May 31,  
17 2005.

18 (2) USE OF FUNDS.—Funds authorized by this  
19 subsection may be used for personnel costs; adminis-  
20 trative infrastructure; rent; information technology;  
21 and programs for research and technology, regu-  
22 latory development, and other operating expenses  
23 and similar matters. Such funds available may also  
24 be used to make grants to, or enter into contracts  
25 with, States, local governments, or other persons for



1 implementation of the Commercial Driver's License  
2 Improvement Grants and the Border Enforcement  
3 Grants programs.

4 (b) MOTOR CARRIER SAFETY ASSISTANCE PRO-  
5 GRAM.—Section 31104(a) of title 49, United States Code,  
6 is amended by adding at the end the following:

7 “(8) Not more than \$112,512,329 for the pe-  
8 riod of October 1, 2004, through May 31, 2005.”.

9 (c) INFORMATION SYSTEMS AND COMMERCIAL DRIV-  
10 ER'S LICENSE GRANTS.—

11 (1) AUTHORIZATION OF APPROPRIATION.—Sec-  
12 tion 31107(a) of such title is amended—

13 (A) by striking “and” at the end of para-  
14 graph (4);

15 (B) by striking the period at the end of  
16 paragraph (5) and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(6) \$13,315,068 for the period of October 1,  
19 2004 through May 31, 2005.”.

20 (2) EMERGENCY CDL GRANTS.—From amounts  
21 made available by section 31107(a) of title 49,  
22 United States Code, for the period of October 1,  
23 2004 through May 31, 2005, the Secretary of  
24 Transportation may make grants of up to \$665,753  
25 to a State whose commercial driver's license pro-



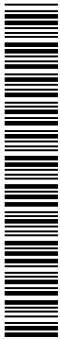
1        gram may fail to meet the compliance requirements  
2        of section 31311(a) of such title.

3        (d) CRASH CAUSATION STUDY.—There shall be avail-  
4        able from the Highway Trust Fund (other than the Mass  
5        Transit Account) for the Federal Motor Carrier Safety  
6        Administration to continue the crash causation study re-  
7        quired by section 224 of the Motor Carrier Safety Im-  
8        provement Act of 1999 (49 U.S.C. 31100 note; 113 Stat.  
9        1770–1771), \$665,753 for the period of October 1, 2004  
10       through May 31, 2005.

11       (e) CONTRACT AUTHORITY.—Funds made available  
12       by this section shall be available for obligation in the same  
13       manner as if such funds were apportioned under chapter  
14       1 of title 23, United States Code.

15       (f) RULE STAY.—The hours-of-service regulations  
16       applicable to property-carrying commercial drivers con-  
17       tained in the Final Rule published on April 28, 2003 (68  
18       Fed. Reg. 22456-22517), as amended on September 30,  
19       2003 (68 Fed. Reg. 56208-56212), and made applicable  
20       to motor carriers and drivers on January 4, 2004, shall  
21       be in effect until the earlier of—

22                (1) the effective date of a new final rule ad-  
23       dressing the issues raised by the July 16, 2004, de-  
24       cision of the United States Court of Appeals for the  
25       District of Columbia in *Public Citizen, et al. v. Fed-*



1       eral Motor Carrier Safety Administration (No. 03-  
2       1165); or

3               (2) September 30, 2005.

4   **SEC. 8. EXTENSION OF FEDERAL TRANSIT PROGRAMS.**

5       (a) **ALLOCATING AMOUNTS.**—Section 5309(m) of  
6 title 49, United States Code, is amended—

7               (1) in the matter preceding subparagraph (A)  
8       of paragraph (1) by inserting “and for the period of  
9       October 1, 2004, through May 31, 2005” after  
10      “2004”;

11              (2) in paragraph (2)(B) by inserting after  
12      clause (ii) the following:

13                      “(iii) **OCTOBER 1, 2004 THROUGH MAY**  
14                      **31, 2005.**—Of the amounts made available  
15                      under paragraph (1)(B), \$6,933,333 shall  
16                      be available for the period of October 1,  
17                      2004, through May 31, 2005, for capital  
18                      projects described in clause (i).”;

19              (3) in paragraph (3)(B) by inserting after  
20      “2004” the following: “(and \$2,000,000 shall be  
21      available for the period October 1, 2004, through  
22      May 31, 2005)”; and

23              (4) in paragraph (3)(C) by inserting after  
24      “2004)” the following: “, and \$33,333,333 shall be



1 available for the period October 1, 2004, through  
2 May 31, 2005.”.

3 (b) APPORTIONMENT OF APPROPRIATIONS FOR  
4 FIXED GUIDEWAY MODERNIZATION.—The Secretary of  
5 Transportation shall determine the amount that each ur-  
6 banized area is to be apportioned for fixed guideway mod-  
7 ernization under section 5337 of title 49, United States  
8 Code, on a pro rata basis to reflect the partial fiscal year  
9 2005 funding made available by sections  
10 5338(b)(2)(A)(vii) and 5338(b)(2)(B)(vii) of such title.

11 (c) FORMULA GRANTS AUTHORIZATIONS.—Section  
12 5338(a) of such title is amended—

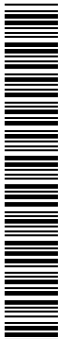
13 (1) in the heading to paragraph (2) by inserting  
14 “AND FOR THE PERIOD OF OCTOBER 1, 2004,  
15 THROUGH MAY 31, 2005” after “2004”;

16 (2) by striking “and” at the end of paragraphs  
17 (2)(A)(v) and (2)(B)(v);

18 (3) by striking the period at the end of para-  
19 graphs (2)(A)(vi) and (2)(B)(vi) and inserting “;  
20 and”;

21 (4) by adding at the end of paragraph (2)(A)  
22 the following:

23 “(vii) \$2,201,760,000 for the period  
24 of October 1, 2004, through May 31,  
25 2005.”;



1 (5) by adding at the end in paragraph (2)(B)  
2 the following:

3 “(vii) \$550,440,000 for the period of  
4 October 1, 2004, through May 31, 2005.”;  
5 and

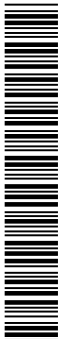
6 (6) in paragraph (2)(C) by striking “2003” and  
7 inserting the following: “2005 (other than for the  
8 period of October 1, 2004, through May 31, 2005)”.

9 (d) ALLOCATION OF FORMULA GRANT FUNDS FOR  
10 OCTOBER 1, 2004, THROUGH MAY 31, 2005.—Of the ag-  
11 gregate of amounts made available by and appropriated  
12 under section 5338(a)(2) of title 49, United States Code,  
13 for the period of October 1, 2004, through May 31,  
14 2005—

15 (1) \$3,233,300 shall be available to the Alaska  
16 Railroad for improvements to its passenger oper-  
17 ations under section 5307 of such title;

18 (2) \$33,333,333 shall be available for clean  
19 fuels formula grants under section 5308 of such  
20 title;

21 (3) \$65,064,001 shall be available to provide  
22 transportation services to elderly individuals and in-  
23 dividuals with disabilities under section 5310 of such  
24 title;



1 (4) \$172,690,702 shall be available to provide  
2 financial assistance for other than urbanized areas  
3 under section 5311 of such title;

4 (5) \$4,633,333 shall be available to provide fi-  
5 nancial assistance in accordance with section  
6 3038(g) of the Transportation Equity Act for the  
7 21st Century; and

8 (6) \$2,473,245,331 shall be available to provide  
9 financial assistance for urbanized areas under sec-  
10 tion 5307 of such title.

11 (e) CAPITAL PROGRAM AUTHORIZATIONS.—Section  
12 5338(b) of such title is amended—

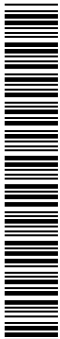
13 (1) in the heading to paragraph (2) by inserting  
14 “AND FOR THE PERIOD OF OCTOBER 1, 2004,  
15 THROUGH MAY 31, 2005” after “2004”;

16 (2) by striking “and” at the end of paragraphs  
17 (2)(A)(v) and (2)(B)(v);

18 (3) by striking the period at the end of para-  
19 graphs (2)(A)(vi) and (2)(B)(vi) and inserting “;  
20 and”;

21 (4) by adding at the end of paragraph (2)(A)  
22 the following:

23 “(vii) \$1,740,960,000 for the period  
24 of October 1, 2004, through May 31,  
25 2005.”; and





1 (5) by adding at the end of paragraph (2)(B)  
2 the following:

3 “(vii) \$435,240,000 for the period of  
4 October 1, 2004, through May 31, 2005.”.

5 (f) PLANNING AUTHORIZATIONS AND ALLOCA-  
6 TIONS.—Section 5338(c) is amended—

7 (1) in the heading to paragraph (2) by inserting  
8 “AND FOR THE PERIOD OF OCTOBER 1, 2004,  
9 THROUGH MAY 31, 2005” after “2004”;

10 (2) by striking “and” at the end of paragraphs  
11 (2)(A)(v) and (2)(B)(v);

12 (3) by striking the period at the end of para-  
13 graphs (2)(A)(vi) and (2)(B)(vi) and inserting “;  
14 and”;

15 (4) by adding at the end of paragraph (2)(A)  
16 the following:

17 “(vii) \$41,813,334 for the period of  
18 October 1, 2004, through May 31, 2005.”;

19 (5) by adding at the end of paragraph (2)(B)  
20 the following:

21 “(vii) \$10,453,333 for the period of  
22 October 1, 2004, through May 31, 2005.”;  
23 and

24 (6) in paragraph (2)(C) by inserting “or any  
25 portion of a fiscal year” after “fiscal year”.



1 (g) RESEARCH AUTHORIZATIONS.—Section 5338(d)  
2 of such title is amended—

3 (1) in the heading to paragraph (2) by inserting  
4 “AND FOR THE PERIOD OF OCTOBER 1, 2004,  
5 THROUGH MAY 31, 2005” after “2004”;

6 (2) by striking “and” at the end of paragraphs  
7 (2)(A)(v) and (2)(B)(v);

8 (3) by striking the period at the end of para-  
9 graphs (2)(A)(vi) and (2)(B)(vi) and inserting “;  
10 and”;

11 (4) by adding at the end of paragraph (2)(A)  
12 the following:

13 “(vii) \$28,266,667 for the period of  
14 October 1, 2004, through May 31, 2005.”;

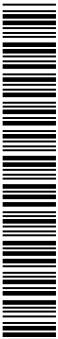
15 (5) by adding at the end of paragraph (2)(B)  
16 the following:

17 “(vii) \$7,066,667 for the period of  
18 October 1, 2004, through May 31, 2005.”;

19 and

20 (6) in paragraph (2)(C) by inserting after “a  
21 fiscal year” the following: “(other than for the pe-  
22 riod of October 1, 2004, through May 31, 2005)”.

23 (h) ALLOCATION OF RESEARCH FUNDS FOR OCTO-  
24 BER 1, 2004, THROUGH MAY 31, 2005.—Of the funds  
25 made available by or appropriated under section



1 5338(d)(2) of title 49, United States Code, for the period  
2 of October 1, 2004, through May 31, 2005—

3 (1) not less than \$3,500,000 shall be available  
4 for providing rural transportation assistance under  
5 section 5311(b)(2) of such title;

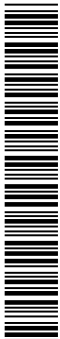
6 (2) not less than \$5,500,000 shall be available  
7 for carrying out transit cooperative research pro-  
8 grams under section 5313(a) of such title;

9 (3) not less than \$2,666,667 shall be available  
10 to carry out programs under the National Transit  
11 Institute under section 5315 of such title, including  
12 not more than \$666,667 shall be available to carry  
13 out section 5315(a)(16) of such title; and

14 (4) any amounts not made available under  
15 paragraphs (1) through (3) shall be available for  
16 carrying out national planning and research pro-  
17 grams under sections 5311(b)(2), 5312, 5313(a),  
18 5314, and 5322 of such title.

19 (i) UNIVERSITY TRANSPORTATION RESEARCH AU-  
20 THORIZATIONS.—Section 5338(e) of such title is  
21 amended—

22 (1) in the heading to paragraph (2) by inserting  
23 “AND FOR THE PERIOD OF OCTOBER 1, 2004,  
24 THROUGH MAY 31, 2005” after “2004”;



1 (2) in paragraph (2)(A) by inserting after  
2 “2004” the following: “and \$3,200,000 for the pe-  
3 riod of October 1, 2004, through May 31, 2005”;

4 (3) in paragraph (2)(B) by inserting after  
5 “2004” the following: “and \$800,000 for the period  
6 of October 1, 2004, through May 31, 2005”; and

7 (4) in paragraphs (2)(C)(i) and (2)(C)(iii) by  
8 inserting after “fiscal year” the following: “(other  
9 than for the period of October 1, 2004, through May  
10 31, 2005)”.

11 (j) ALLOCATION OF UNIVERSITY TRANSPORTATION  
12 RESEARCH FUNDS.—

13 (1) IN GENERAL.—Of the amounts made avail-  
14 able under section 5338(e)(2)(A) of title 49, United  
15 States Code, for the period October 1, 2004,  
16 through May 31, 2005—

17 (A) \$1,333,333 shall be available for the  
18 center identified in section 5505(j)(4)(A) of  
19 such title; and

20 (B) \$1,333,333 shall be available for the  
21 center identified in section 5505(j)(4)(F) of  
22 such title.

23 (2) TRAINING AND CURRICULUM DEVELOP-  
24 MENT.—Notwithstanding section 5338(e)(2) of such  
25 title, any amounts made available under such section



1 for the period October 1, 2004, through May 31,  
2 2005, that remain after distribution under para-  
3 graph (1), shall be available for the purposes identi-  
4 fied in section 3015(d) of the Transportation Equity  
5 Act for the 21st Century (112 Stat. 857).

6 (3) CONFORMING AMENDMENT.—Section  
7 3015(d)(2) of the Transportation Equity Act for the  
8 21st Century (112 Stat. 857; 118 Stat. 884) is  
9 amended by inserting “or in the period October 1,  
10 2004, through May 31, 2005” after “2004”.

11 (k) ADMINISTRATION AUTHORIZATIONS.—Section  
12 5338(f) of such title is amended—

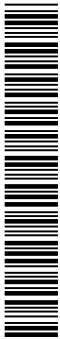
13 (1) in the heading to paragraph (2) by inserting  
14 “AND FOR THE PERIOD OF OCTOBER 1, 2004,  
15 THROUGH MAY 31, 2005” after “2004”;

16 (2) by striking “and” at the end of paragraphs  
17 (2)(A)(v) and (2)(B)(v);

18 (3) by striking the period at the end of para-  
19 graphs (2)(A)(vi) and (2)(B)(vi) and inserting “;  
20 and”;

21 (4) by adding at the end of paragraph (2)(A)  
22 the following:

23 “(vii) \$41,600,000 for the period of  
24 October 1, 2004, through May 31, 2005.”;  
25 and



1 (5) by adding at the end of paragraph (2)(B)  
2 the following:

3 “(vii) \$10,400,000 for the period of  
4 October 1, 2004, through May 31, 2005.”.

5 (l) JOB ACCESS AND REVERSE COMMUTE PRO-  
6 GRAM.—Section 3037(l) of the Transportation Equity Act  
7 for the 21st Century (49 U.S.C. 5309 note; 112 Stat.  
8 391–392; 118 Stat. 884) is amended—

9 (1) by striking “and” at the end of paragraphs  
10 (1)(A)(v) and (1)(B)(v);

11 (2) by striking the period at the end of para-  
12 graphs (1)(A)(vi) and (1)(B)(vi) and inserting “;  
13 and”;

14 (3) by adding at the end of paragraph (1)(A)  
15 the following:

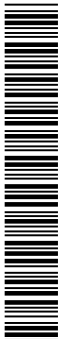
16 “(vii) \$80,000,000 for the period of  
17 October 1, 2004, through May 31, 2005.”;

18 (4) by adding at the end of paragraph (1)(B)  
19 the following:

20 “(vii) \$20,000,000 for the period of  
21 October 1, 2004, through May 31, 2005.”;

22 and

23 (5) by inserting before the period at the end of  
24 paragraph (2) the following: “; except that in the pe-  
25 riod of October 1, 2004, through May 31, 2005, not



1 more than \$6,666,667 shall be used for such  
2 projects”.

3 (m) RURAL TRANSPORTATION ACCESSIBILITY IN-  
4 CENTIVE PROGRAM.—Section 3038(g) of such Act (49  
5 U.S.C. 5310 note; 112 Stat. 393; 118 Stat. 885) is  
6 amended—

7 (1) by adding at the end of paragraph (1) the  
8 following:

9 “(G) \$3,500,000 for the period of October  
10 1, 2004, through May 31, 2005.”; and

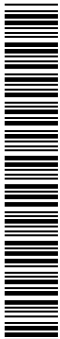
11 (2) in paragraph (2) by inserting after “2004”  
12 the following: “(and \$1,133,333 shall be available  
13 for the period of October 1, 2004, through May 31,  
14 2005)”.

15 (n) URBANIZED AREA FORMULA GRANTS.—Section  
16 5307(b) of title 49, United States Code, is amended—

17 (1) in the heading to paragraph (2) by inserting  
18 “AND FOR THE PERIOD OF OCTOBER 1, 2004,  
19 THROUGH MAY 31, 2005” after “2004”; and

20 (2) in paragraph (2)(A) by inserting “and for  
21 the period of October 1, 2004, through May 31,  
22 2005” after “2004,”.

23 (o) OBLIGATION CEILING.—Section 3040 of the  
24 Transportation Equity Act for the 21st Century (112  
25 Stat. 394; 118 Stat. 885) is amended—



1 (1) by striking “and” at the end of paragraph  
2 (5);

3 (2) by striking the period at the end of para-  
4 graph (6) and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(7) \$5,172,000,000 for the period of October  
7 1, 2004, through May 31, 2005.”.

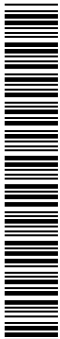
8 (p) FUEL CELL BUS AND BUS FACILITIES PRO-  
9 GRAM.—Section 3015(b) of such Act (112 Stat. 361; 118  
10 Stat. 885) is amended by inserting “(or, in the case of  
11 the period of October 1, 2004, through May 31, 2005,  
12 \$3,233,333)” after “\$4,850,000”.

13 (q) ADVANCED TECHNOLOGY PILOT PROJECT.—Sec-  
14 tion 3015(c)(2) of such Act (49 U.S.C. 322 note; 112  
15 Stat. 361; 118 Stat. 885) is amended—

16 (1) by inserting “and for the period of October  
17 1, 2004, through May 31, 2005,” after “2004,”;  
18 and

19 (2) by inserting “and \$3,333,333 for such pe-  
20 riod” after “\$5,000,000 per fiscal year”.

21 (r) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS  
22 AND EXTENSIONS TO EXISTING SYSTEMS.—Section 3030  
23 of such Act (112 Stat. 373–381; 118 Stat. 885) is  
24 amended—





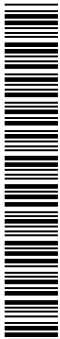
1 (1) in subsections (a) and (b) by inserting “and  
2 for the period of October 1, 2004, through May 31,  
3 2005,” after “2004”; and

4 (2) in subsection (c)(1) by inserting “and for  
5 the period of October 1, 2004, through May 31,  
6 2005” after “2004”.

7 (s) NEW JERSEY URBAN CORE PROJECT.—Subpara-  
8 graphs (A), (B), and (C) of section 3031(a)(3) of the  
9 Intermodal Surface Transportation Efficiency Act of 1991  
10 (105 Stat. 2122; 112 Stat. 379; 118 Stat. 885) are  
11 amended by inserting “and for the period of October 1,  
12 2004, through May 31, 2005,” after “2004,”.

13 (t) TREATMENT OF FUNDS.—Amounts made avail-  
14 able under the amendments made by this section shall be  
15 treated for purposes of section 1101(b) of the Transpor-  
16 tation Equity Act for the 21st Century (23 U.S.C. 101  
17 note) as amounts made available for programs under title  
18 III of such Act.

19 (u) LOCAL SHARE.—Section 3011(a) of the Trans-  
20 portation Equity Act for the 21st Century (49 U.S.C.  
21 5307 note; 118 Stat. 637; 118 Stat. 708; 118 Stat. 886)  
22 is amended by inserting “and for the period of October  
23 1, 2004, through May 31, 2005” after “2004”.



1 **SEC. 9. SPORT FISHING AND BOATING SAFETY.**

2 (a) FUNDING FOR NATIONAL OUTREACH AND COM-  
3 MUNICATIONS PROGRAM.—Section 4(c) of the Dingell-  
4 Johnson Sport Fish Restoration Act (16 U.S.C. 777c(e))  
5 is amended—

6 (1) by striking “and” at the end of paragraph  
7 (5);

8 (2) by inserting “and” after the semicolon at  
9 the end of paragraph (6); and

10 (3) by inserting after paragraph (6) the fol-  
11 lowing:

12 “(7) \$6,666,664 for the period of October 1,  
13 2004, through May 31, 2005;”.

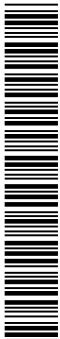
14 (b) CLEAN VESSEL ACT FUNDING.—Section 4(b) of  
15 such Act (16 U.S.C. 777c(b)) is amended—

16 (1) in paragraph (4) by striking the paragraph  
17 heading and inserting “FISCAL YEAR 2004”;

18 (2) by redesignating paragraph (5) as para-  
19 graph (6); and

20 (3) by inserting after paragraph (4) the fol-  
21 lowing:

22 “(5) FIRST 8 MONTHS OF FISCAL YEAR 2005.—  
23 For the period of October 1, 2004, through May 31,  
24 2005, of the balance of each annual appropriation  
25 remaining after making the distribution under sub-  
26 section (a), an amount equal to \$54,666,664, re-



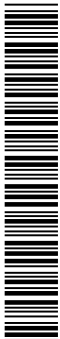
1       duced by 82 percent of the amount appropriated for  
2       that fiscal year from the Boat Safety Account of the  
3       Aquatic Resources Trust Fund established by sec-  
4       tion 9504 of the Internal Revenue Code of 1986 to  
5       carry out the purposes of section 13106(a) of title  
6       46, United States Code, shall be used as follows:

7               “(A) \$6,666,664 shall be available to the  
8       Secretary of the Interior for 3 fiscal years for  
9       obligation for qualified projects under section  
10       5604(c) of the Clean Vessel Act of 1992 (33  
11       U.S.C. 1322 note).

12              “(B) \$5,333,334 shall be available to the  
13       Secretary of the Interior for 3 fiscal years for  
14       obligation for qualified projects under section  
15       7404(d) of the Sportfishing and Boating Safety  
16       Act of 1998 (16 U.S.C. 777g–1(d)).

17              “(C) The balance remaining after the ap-  
18       plication of subparagraphs (A) and (B) shall be  
19       transferred to the Secretary of Transportation  
20       and shall be expended for State recreational  
21       boating safety programs under section 13106 of  
22       title 46, United States Code.”.

23       (c) BOAT SAFETY FUNDS.—Section 13106(c) of title  
24       46, United States Code, is amended to read as follows:



1       “(c)(1) Of the amount transferred to the Secretary  
2 of Transportation under paragraph (5)(C) of section 4(b)  
3 of the Dingell-Johnson Sport Fish Restoration Act (16  
4 U.S.C. 777c(b)), \$3,333,336 is available to the Secretary  
5 for payment of expenses of the Coast Guard for personnel  
6 and activities directly related to coordinating and carrying  
7 out the national recreational boating safety program under  
8 this title, of which \$1,333,336 shall be available to the  
9 Secretary only to ensure compliance with chapter 43 of  
10 this title.

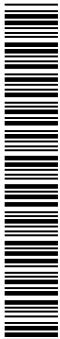
11       “(2) No funds available to the Secretary under this  
12 subsection may be used to replace funding traditionally  
13 provided through general appropriations, nor for any pur-  
14 poses except those purposes authorized by this section.

15       “(3) Amounts made available by this subsection shall  
16 remain available until expended.

17       “(4) The Secretary shall publish annually in the Fed-  
18 eral Register a detailed accounting of the projects, pro-  
19 grams, and activities funded under this subsection.”.

20   **SEC. 10. BUDGET LIMITATIONS.**

21       (a) ADJUSTMENTS TO ANNUALIZED DISCRETIONARY  
22 SPENDING LIMITS.—In the matter that precedes subpara-  
23 graph (A) of section 251(b)(2) of the Balanced Budget  
24 and Emergency Deficit Control Act of 1985, strike  
25 “through 2002”.



1 (b) DISCRETIONARY SPENDING LIMITS.—Section  
2 251(c) of the Balanced Budget and Emergency Deficit  
3 Control Act of 1985 is amended as follows:

4 (1) Strike paragraphs (1) through (7) and re-  
5 designate paragraph (8) (which relates to fiscal year  
6 2005) as paragraph (1) and in such redesignated  
7 paragraph strike “(1) with respect to fiscal year  
8 2005”, redesignate the remaining matter as sub-  
9 paragraph (C), and before such redesignated matter  
10 insert the following:

11 “(1) with respect to fiscal year 2005—

12 “(A) for the highway category:  
13 \$31,113,000,000 in outlays;

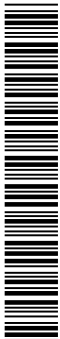
14 “(B) for the mass transit category:  
15 \$1,453,000,000 in new budget authority and  
16 \$6,535,000,000 in outlays; and”.

17 (2) Redesignate paragraphs (9) through (16) as  
18 paragraphs (2) through (9).

19 (c) CATEGORY DEFINED.—Section 250(c)(4) of the  
20 Balanced Budget and Emergency Deficit Control Act of  
21 1985 is amended—

22 (1) in subparagraph (B) by inserting after  
23 “Century” the following: “and the Surface Trans-  
24 portation Extension Act of 2004, Part V”; and

25 (2) in subparagraph (C)—

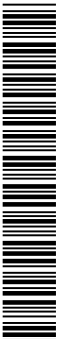


1 (A) by inserting after “Century” the first  
2 place it appears the following: “and the Surface  
3 Transportation Extension Act of 2004, Part  
4 V”; and

5 (B) by striking “that Act” and inserting  
6 “those Acts”.

7 (d) CONFORMANCE WITH THE CONCURRENT RESO-  
8 LUTION ON THE BUDGET FOR FISCAL YEAR 2005.—Not-  
9 withstanding any other provision of law, all adjustments  
10 made pursuant to section 110(a)(2) of title 23, United  
11 States Code, to sums authorized to be appropriated from  
12 the Highway Trust Fund (other than the Mass Transit  
13 Account) to carry out each of the Federal-aid highway and  
14 highway safety construction programs (other than emer-  
15 gency relief) in fiscal year 2005 shall be deemed to be zero.

16 (e) SENSE OF CONGRESS ON ADJUSTMENT TO ALIGN  
17 HIGHWAY SPENDING WITH REVENUES.—It is the sense  
18 of Congress that, in any multiyear reauthorization of the  
19 Federal-aid highway program, the alignment of highway  
20 spending with revenues under section 251(b)(1)(B)(ii) of  
21 the Balanced Budget and Emergency Deficit Control Act  
22 of 1985 should be restructured to minimize year-to-year  
23 fluctuations in highway spending levels and to ensure the  
24 uniform enforcement of such levels.



1 (f) SENSE OF CONGRESS ON FULLY GUARANTEED  
2 FUNDING.—It is the sense of Congress—

3 (1) in any multiyear law reauthorizing of the  
4 Federal-aid highway program enacted after the date  
5 of the enactment of this Act, the level of obligation  
6 limitations for fiscal year 2005 under the highway  
7 category and the mass transit category in section  
8 8103 of the Transportation Equity Act for the 21st  
9 Century (2 U.S.C. 901 note), as amended and ex-  
10 tended, should equal the obligation limitations for  
11 such categories authorized in such multiyear law;

12 (2) the highway account category obligation  
13 limitation level for fiscal year 2005 should be equal  
14 to the sum of the Federal Highway Administration,  
15 National Highway Safety Administration, and Fed-  
16 eral Motor Carrier Safety Administration obligation  
17 limitations for fiscal year 2005 in such multiyear  
18 law; and

19 (3) the mass transit category obligation limita-  
20 tion level for fiscal year 2005 should be equal to the  
21 sum of budget authority and obligation limitation  
22 authorizations for Federal Transit Administration  
23 programs for fiscal year 2005 in such multiyear re-  
24 authorization.



1 **SEC. 11. LEVEL OF OBLIGATION LIMITATIONS.**

2 (a) HIGHWAY CATEGORY.—Section 8103(a) of the  
3 Transportation Equity Act for the 21st Century (2 U.S.C.  
4 901 note; 112 Stat. 492; 117 Stat. 1128) is amended—

5 (1) by striking “and” at the end of paragraph  
6 (5);

7 (2) by striking the period at the end of para-  
8 graph (6) and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(7) for fiscal year 2005, \$35,392,000,000.”.

11 (b) MASS TRANSIT CATEGORY.—Section 8103(b) of  
12 such Act (2 U.S.C. 901 note; 112 Stat. 492; 117 Stat.  
13 1128) is amended—

14 (1) by striking “and” at the end of paragraph  
15 (5);

16 (2) by striking the period at the end of para-  
17 graph (6) and inserting “; and”; and

18 (3) by adding at the end the following:

19 “(7) for fiscal year 2005, \$7,265,000,000.”.

20 (c) TREATMENT OF FUNDS.—Notwithstanding any  
21 other provision of law, funds made available under this  
22 Act, including the amendments made by this Act, shall  
23 be deemed to be zero for the purposes of section 110 of  
24 the title 23, United States Code.





1 **SEC. 12. EXTENSION OF HIGHWAY PROGRAMS THROUGH**  
2 **END OF FISCAL YEAR 2004.**

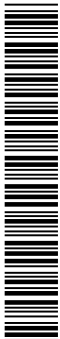
3 (a) ADVANCES.—Section 2(a) of the Surface Trans-  
4 portation Extension Act of 2003 (23 U.S.C. 104 note; 117  
5 Stat. 1110; 118 Stat. 876) is amended by striking “and  
6 the Surface Transportation Extension Act of 2004, Part  
7 IV” and inserting “the Surface Transportation Extension  
8 Act of 2004, Part IV, and the Surface Transportation Ex-  
9 tension Act of 2004, Part V”.

10 (b) AUTHORIZATION OF CONTRACT AUTHORITY.—  
11 Section 1101(c)(1) of the Transportation Equity Act for  
12 the 21st Century (117 Stat. 1111; 118 Stat. 876) is  
13 amended by striking “the period of October 1, 2003,  
14 through September 24,” and inserting “fiscal year”.

15 (c) LIMITATION ON OBLIGATIONS.—Section 2(e) of  
16 the Surface Transportation Extension Act of 2003 (117  
17 Stat. 1111; 118 Stat. 478; 118 Stat. 876) is amended—

18 (1) by striking paragraphs (1) through (4) and  
19 inserting:

20 “(1) DISTRIBUTION OF OBLIGATION AUTHOR-  
21 ITY.—For the fiscal year 2004, the Secretary shall  
22 distribute the obligation limitation made available  
23 for Federal-aid highways and highway safety con-  
24 struction programs under the heading ‘Federal-aid  
25 highways’ in the Transportation, Treasury, and  
26 Independent Agencies Appropriations Act, 2004 (di-



1 vision F of Public Law 108-199; 118 Stat. 291; 118  
2 Stat. 1013), in accordance with section 110 of such  
3 Act.”; and

4 (2) by redesignating paragraph (5) as para-  
5 graph (2).

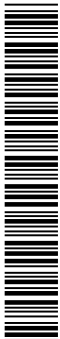
6 (d) PERIOD OF AVAILABILITY.—Obligation authority  
7 made available for fiscal year 2004 under section 2 of the  
8 Surface Transportation Extension Act of 2003 as a result  
9 of the amendments made by this section, that is in addi-  
10 tion to obligation authority previously made available for  
11 fiscal year 2004 under section 2 of such Act (117 Stat.  
12 1110; 118 Stat. 478; 118 Stat. 627; 118 Stat. 698; 118  
13 Stat. 876), shall remain available for obligation during fis-  
14 cal years 2004 and 2005, or for additional fiscal years  
15 if so made available in a law enacted before the date of  
16 enactment of this Act.

17 (e) PAYMENT FROM FUTURE APPORTIONMENTS.—  
18 The Surface Transportation Extension Act of 2003 (117  
19 Stat. 1110) is amended—

20 (1) by striking section 2(c) (117 Stat. 1111;  
21 118 Stat. 877);

22 (2) by striking section 3(c)(1) (117 Stat. 1112)  
23 and inserting the following:

24 “(1) IN GENERAL.—As soon as practicable  
25 after the date of enactment of the Surface Transpor-



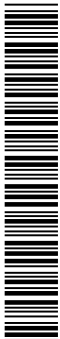
1       tation Extension Act of 2004, Part V, the Secretary  
2       of Transportation shall restore any funds that a  
3       State transferred under subsection (a).”; and

4           (3) by striking section 5(n) (117 Stat. 1119;  
5       118 Stat. 483; 118 Stat. 632; 118 Stat. 703; 118  
6       Stat. 881).

7       (f) SUPPLEMENTAL MINIMUM GUARANTEE.—

8           (1) GENERAL RULE.—For fiscal year 2004, the  
9       Secretary shall allocate among the States amounts  
10      sufficient to ensure that each State’s percentage of  
11      the total apportionments for such fiscal year pursu-  
12      ant to sections 2(a) and 5(c) of the Surface Trans-  
13      portation Extension Act of 2003 and amounts ap-  
14      portioned under this section shall equal the percent-  
15      age listed for each State in section 105(b) of title  
16      23, United States Code. The shares in such section  
17      shall be adjusted in accordance with section 105(f)  
18      of such title. The minimum amount allocated to a  
19      State under this subsection for the fiscal year shall  
20      be \$1,000,000.

21          (2) AUTHORIZATION.—There are authorized to  
22      be appropriated out of the Highway Trust Fund  
23      (other than the Mass Transit Account) such sums as  
24      may be necessary to carry out this subsection for fis-  
25      cal year 2004.



1           (3) ADMINISTRATION OF FUNDS.—Funds ap-  
2           portioned to a State under this subsection—

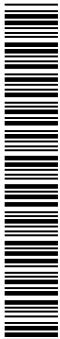
3                   (A) shall be available for obligation in the  
4           same manner as if such funds were apportioned  
5           to the State under chapter 1 of title 23, United  
6           States Code;

7                   (B) shall be combined with funds appor-  
8           tioned to the State for the minimum guarantee  
9           program under section 2(a) of the Surface  
10          Transportation Extension Act of 2003; and

11                  (C) shall be administered in the same man-  
12          ner as funds apportioned under section 105 of  
13          such title.

14          (4) OBLIGATION LIMITATION.—Funds appor-  
15          tioned under this subsection shall be subject to any  
16          limitation on obligations for Federal-aid highways  
17          and highway safety construction programs.

18          (g) CALCULATION OF ESTIMATED TRUST FUND  
19          CONTRIBUTIONS.—The amendment made by section 13(c)  
20          of this Act shall have no effect on the estimates of tax  
21          payments attributable to highway users in each State paid  
22          into the Highway Trust Fund for purposes of appor-  
23          tioning funds to States in fiscal year 2004 until enactment  
24          of a multiyear law reauthorizing surface transportation  
25          programs.



1 **SEC. 13. EXTENSION OF AUTHORIZATION FOR USE OF**  
2 **TRUST FUNDS FOR OBLIGATIONS UNDER**  
3 **TEA-21.**

4 (a) HIGHWAY TRUST FUND.—

5 (1) IN GENERAL.—Paragraph (1) of section  
6 9503(e) of the Internal Revenue Code of 1986 is  
7 amended—

8 (A) in the matter before subparagraph (A),  
9 by striking “October 1, 2004” and inserting  
10 “June 1, 2005”,

11 (B) by striking “or” at the end of subpara-  
12 graph (I),

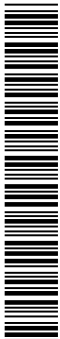
13 (C) by striking the period at the end of  
14 subparagraph (J) and inserting “, or”,

15 (D) by inserting after subparagraph (J)  
16 the following new subparagraph:

17 “(K) authorized to be paid out of the  
18 Highway Trust Fund under the Surface Trans-  
19 portation Extension Act of 2004, Part V.”, and

20 (E) in the matter after subparagraph (K),  
21 as added by this paragraph, by striking “Sur-  
22 face Transportation Extension Act of 2004,  
23 Part IV” and inserting “Surface Transpor-  
24 tation Extension Act of 2004, Part V”.

25 (2) MASS TRANSIT ACCOUNT.—Paragraph (3)  
26 of section 9503(e) of such Code is amended—



1 (A) in the matter before subparagraph (A),  
2 by striking “October 1, 2004” and inserting  
3 “June 1, 2005”,

4 (B) in subparagraph (G), by striking “or”  
5 at the end of such subparagraph,

6 (C) in subparagraph (H), by inserting “or”  
7 at the end of such subparagraph,

8 (D) by inserting after subparagraph (H)  
9 the following new subparagraph:

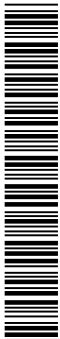
10 “(I) the Surface Transportation Extension  
11 Act of 2004, Part V,” and

12 (E) in the matter after subparagraph (I),  
13 as added by this paragraph, by striking “Sur-  
14 face Transportation Extension Act of 2004,  
15 Part IV” and inserting “Surface Transpor-  
16 tation Extension Act of 2004, Part V”.

17 (3) EXCEPTION TO LIMITATION ON TRANS-  
18 FERS.—Subparagraph (B) of section 9503(b)(5) of  
19 such Code is amended by striking “October 1,  
20 2004” and inserting “June 1, 2005”.

21 (4) CONFORMING AMENDMENT.—Subsection (a)  
22 of section 10 of the Surface Transportation Exten-  
23 sion Act of 2004, Part IV is amended by striking  
24 paragraph (4).

25 (b) AQUATIC RESOURCES TRUST FUND.—



1           (1) SPORT FISH RESTORATION ACCOUNT.—  
2       Paragraph (2) of section 9504(b) of the Internal  
3       Revenue Code of 1986 is amended by striking “Sur-  
4       face Transportation Extension Act of 2004, Part  
5       IV” each place it appears and inserting “Surface  
6       Transportation Extension Act of 2004, Part V”.

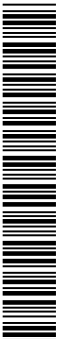
7           (2) BOAT SAFETY ACCOUNT.—Subsection (c) of  
8       section 9504 of such Code is amended—

9           (A) by striking “October 1, 2004” and in-  
10       serting “June 1, 2005”, and

11          (B) by striking “Surface Transportation  
12       Extension Act of 2004, Part IV” and inserting  
13       “Surface Transportation Extension Act of  
14       2004, Part V”.

15          (3) EXCEPTION TO LIMITATION ON TRANS-  
16       FERS.—Paragraph (2) of section 9504(d) of such  
17       Code is amended by striking “October 1, 2004” and  
18       inserting “June 1, 2005”.

19          (c) ALL ALCOHOL FUEL TAXES TRANSFERRED TO  
20       HIGHWAY TRUST FUND FOR FISCAL YEAR 2004.—Sub-  
21       paragraphs (E) and (F) of section 9503(b)(4) (relating  
22       to certain taxes not transferred to Highway Trust Fund)  
23       are each amended by inserting “before October 1, 2003,  
24       and for the period beginning after September 30, 2004,  
25       and” before “before October 1, 2005”.



1 (d) EFFECTIVE DATE.—

2 (1) IN GENERAL.—Except as provided in para-  
3 graph (2), the amendments made by this section  
4 shall take effect on the date of the enactment of this  
5 Act.

6 (2) TRANSFERS TO HIGHWAY TRUST FUND.—

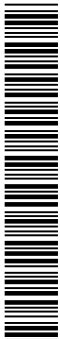
7 The amendments made by subsection (c) shall apply  
8 to taxes imposed after September 30, 2003.

9 (e) TEMPORARY RULE REGARDING ADJUSTMENTS.—

10 During the period beginning on the date of the enactment  
11 of the Surface Transportation Extension Act of 2003 and  
12 ending on May 31, 2005, for purposes of making any esti-  
13 mate under section 9503(d) of the Internal Revenue Code  
14 of 1986 of receipts of the Highway Trust Fund, the Sec-  
15 retary of the Treasury shall treat—

16 (1) each expiring provision of paragraphs (1)  
17 through (4) of section 9503(b) of such Code which  
18 is related to appropriations or transfers to such  
19 Fund to have been extended through the end of the  
20 24-month period referred to in section  
21 9503(d)(1)(B) of such Code, and

22 (2) with respect to each tax imposed under the  
23 sections referred to in section 9503(b)(1) of such  
24 Code, the rate of such tax during the 24-month pe-  
25 riod referred to in section 9503(d)(1)(B) of such





1 Code to be the same as the rate of such tax as in  
2 effect on the date of the enactment of the Surface  
3 Transportation Extension Act of 2003.

4 (f) APPORTIONMENT OF HIGHWAY TRUST FUNDS  
5 FOR FISCAL YEAR 2004.—Section 9503(d)(3) of the Inter-  
6 nal Revenue Code of 1986 shall not apply to any appor-  
7 tionment to the States of the amounts authorized to be  
8 appropriated from the Highway Trust Fund for the fiscal  
9 year ending September 30, 2004.

